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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

STACIE MARTINEZ,

Plaintiff,

v.

CHASE BANK USA, N.A.,

Defendant.

Case No. 3:19-cv-00103-BR

**MOTION TO DISMISS
COUNTERCLAIM PURSUANT TO
RULE 12(b)(1)**

MOTION TO DISMISS COUNTERCLAIM PURSUANT TO RULE 12(b)(1)

NOW COMES, Plaintiff Stacie Martinez (“Plaintiff”), by and through the undersigned attorney, and pursuant to Rule 12(b)(1) of Federal Civil Procedure, respectfully moves to dismiss the Counterclaim filed by Chase Bank USA, N.A. against Plaintiff (Dkt. 7, pages 10-14). For the grounds fully discussed in the attached Memorandum of Law in Support of Motion to Dismiss, Plaintiff moves to dismiss the Counterclaim for lack of subject-matter jurisdiction, for Defendant/Counter-Plaintiff’s failure to plead facts establishing an independent basis of jurisdiction over the counterclaim.

RESPECTFULLY SUBMITTED,

Dated: March 27, 2019

/s/ James A. Sellers II

James A. Sellers II, #184404

CERTIFICATE OF SERVICE

I hereby certify that on March 27, 2019, the foregoing was filed using the Court's CM/ECF system, which will notify all parties of record, including opposing counsel of record:

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ATTORNEY TO BE NOTICED

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